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REVIEW AND EVALUATION OF WORK PROGRAMMES (MID-TERM)

Summary by the Officer-in-charge of UNCTAD of the work of the Mid-term Review Informal Working Group

GE.94-52303

Summary by the Officer-in-charge of UNCTAD of the work of the Mid-term Review Informal Working Group

Introduction

1. It will be recalled that paragraph 68 of the Cartagena Commitment requires the Board to "conduct, midway between Conferences, a review and evaluation of the work programme of the intergovernmental machinery, including its own; of technical assistance programmes; and, bearing in mind the calendar established in this regard, of the Programme Budget and Medium-term Plan, so as to ensure full integration of all work undertaken by UNCTAD and to establish or adjust priorities for the period up to the following Conference."

2. For this purpose, a Mid-term Review Informal Working Group composed of representatives of States members of UNCTAD was established by the monthly consultations of the Secretary-General on 17 January 1994. The Informal Working Group held its first meeting on 4 February 1994 and was chaired by the Secretary-General of UNCTAD.

3. On the understanding that there would be no attempt to rewrite the provisions of the Cartagena Commitment, the first meeting confirmed that the work of the Informal Working Group would comprise:

(a) A review of the work programmes of UNCTAD intergovernmental bodies, in the context of which account would be taken of the extent to which effect has been given to the recommendations of UNCTAD VIII. This exercise would also include an assessment of the implementation of the institutional reforms contained in Part III of the Cartagena Commitment. It would in addition encompass a review of the structure of UNCTAD's intergovernmental machinery, including possible modifications in the structure of the Ad Hoc Working Groups, and an evaluation of the current focus of the various Standing Committees.

(b) A policy review of UNCTAD technical cooperation programmes, on the basis of the report submitted by Dame Margaret Anstee.

(c) The task of integrating more effectively the various areas of UNCTAD's work and looking again at priorities among sub-programmes and activities in the context of the Medium-term Plan and the Programme Budget.

4. The first meeting also agreed that the work of the Informal Working Group should proceed in an informal, transparent and open-ended manner. The objective would be to prepare and carry forward, as far as possible, the work required for

the Mid-term Review, including, if possible, the preparation of a draft document for adoption by the Board at its resumed session on the Mid-term Review in May 1994.

5. The Informal Working Group held a total of eight meetings, the results of which are reflected in the following summary by the Officer-in-Charge of UNCTAD.

Assessment of the post-Cartagena Experience

6. Considerable progress has been achieved in the implementation of the Cartagena Commitment. The process of intergovernmental deliberation, in particular the exchange of national experiences, has produced good results. The structures and working methods established by UNCTAD VIII have largely fulfilled expectations. Experience with the ad hoc working group mechanism has been especially valuable. The meetings of these groups have by and large been characterized by a high technical level of discussions; a substantial volume of work; and several conclusions providing orientations for future work and creating the premises for further movement in the dynamic and progressive sequence envisaged by the Cartagena Commitment.

7. At the same time, the work of the Mid-term Review Informal Working Group, the reports of the ad hoc Working Groups and the assessments by the Chairmen of the Standing Committees have helped to identify the following areas where scope exists for improvement and change:

(a) Given the existing resource constraints of member States and of the UNCTAD secretariat and calendar constraints between now and UNCTAD IX, a streamlining of the structure of the subsidiary bodies of the Board and of working methods seems necessary. In particular, it is felt that there should be fewer intergovernmental bodies and that these should have more focused mandates and be given more realistic and achievable objectives. There is also a need for fewer meetings as well as for more manageable agendas and less documentation.

(b) Care needs to be taken to avoid duplication, both within UNCTAD and between the work of UNCTAD's intergovernmental bodies and that of other organizations. At the same time, it is recognized that scope exists for productive duplication/complementarity.

(c) Another problem requiring attention concerns the difficulties faced by some interested developing countries, and in particular the LDCs, in

participating in the work of UNCTAD's intergovernmental bodies.

(d) More attention needs to be given to the Cartagena Commitment's call for making the outcomes of intergovernmental deliberations more policy and action-oriented, with a view to agreeing on implementable commitments whenever possible.

Trade and Development Board

8. The frequency, duration and content of the meetings of the Board have been determined by the Conference at its eighth session so that proposals for change in this regard would have to be put, as appropriate, to UNCTAD IX. (A proposal has been made that the Board should meet for three weeks once a year, including a high-level segment of three days. Another proposal calls for a ministerial-level meeting of the Board once between Conferences. In this regard the secretariat has been requested to examine the feasibility of the various proposals). In the meantime, there is scope for improving the effectiveness of the operation of the Board in the light of experience since UNCTAD VIII.

9. It is generally agreed in this regard that the agenda items chosen for consideration by the Board should be more sharply focused. Topics should be chosen which reflect UNCTAD's institutional comparative advantage as well as allowing for a degree of complementarity with the work of other organizations. It is also felt that there should be a lighter schedule of meetings and that the practice of inviting experts should be continued.

10. The choice of topics to be placed on the agendas of the Board would also have to be guided by the requirements of the Cartagena Commitment in this respect, as well as by the need to carry forward any work left outstanding from the Ad Hoc Working Groups which are to be wound up, and which would not be covered by the work programme of the new ad hoc working groups.

11. In the light of the above, the Board is requested to mandate the Consultations of the Secretary-General to identify topics to be placed on the agendas of the second part of its forty-first session in the spring of 1995 and of the first part of its forty-second session in the autumn of that year.

Executive session of the Board

12. The executive session remains a valuable mechanism even though it has not fully lived up to expectations. It is generally agreed that modalities can be worked out to make optimal use of this mechanism. Further modifications may be necessary, moreover, in the light of any decisions taken by UNCTAD IX on the frequency and scope of regular meetings of the Board.

13. It has been suggested that in the meantime the Board may wish to consider the holding of two types of meetings for the executive session. One would be a pre-sessional meeting called to deal with procedural/administrative/ organizational matters. The other, also to be convened at regular intervals between statutory meetings of the Board, at the level of permanent representatives, would handle policy matters. The agenda for both types of meeting would be agreed at the monthly Consultations of the Secretary-General. Another suggestion was to have more frequent executive sessions, perhaps every second month, in alternation with the Consultations.

Standing Committees

14. The Standing Committees (SC) have not been able to carry out enough of their work programmes to allow for an in-depth review of their performance at this stage. In any case, the Cartagena Commitment calls for such a review to be carried out immediately before UNCTAD IX. In the meantime, however, it is proposed that the agendas of the SCs should be more focused and made to reflect clear priorities.

15. For this purpose, forthcoming meetings of the SCs could consider two substantive topics which could be examined previously by expert groups. Greater benefit could be derived from the participation of experts at SC meetings themselves, moreover, by allocating more time for their presentations.

16. The Board might also wish to note the recommendations proposed by the Chairmen of the SCs and take them into consideration along with the above proposals.

Ad Hoc Working Groups

17. It is generally agreed that the five existing Ad Hoc Working Groups have addressed, albeit in varying degrees, all elements in their respective terms of reference and that they should be wound up.

18. It will be recalled that the Trade and Development Board, by its decision 399 (XXXIX) of 9 October 1992, established an Ad Hoc Working Group to

Explore the Issue of Structural Adjustment for the Transition to Disarmament. Efforts to establish the terms of reference for this Group have not been successful. Should this situation continue to prevail at the Mid-term Review, an alternative would be, in the light of paragraph 99 of the Cartagena Commitment, to place the issue of structural adjustment for the transition to disarmament and the implications for world economic growth and development on the agenda of a session of the Board.

19. Member States believe that the number of ad hoc working groups should be as limited as possible to permit expert, in-depth treatment of topics. It is recommended that the Board consider the creation of no more than three other groups.

20. The Cartagena Commitment requires that these working groups should have a very specific mandate. In order to achieve this objective and also to permit the new groups to start their substantive work immediately upon their formation, the Board is requested to approve terms of reference/work programmes and, at a subsequent executive session, agendas for the first meeting of the groups.

21. The discussions revealed a substantial amount of support for three new ad hoc working groups focusing respectively on topics encompassed by the following three broad themes: environment, trade and development; enterprise as an instrument of development; and [trading opportunities in the new international trade context] [new technical issues in the international trading system]. (See proposals of the Officer-in-Charge of UNCTAD, annex I). It is understood that broad policy aspects of some of the issues covered by the above working groups, such as sustainable development and trade policy, would be dealt with by the Trade and Development Board.

22. Support was also expressed for the holding of a seminar on regional economic arrangements and their relationship with the multilateral trading system.

23. With regard to trade efficiency, it will be recalled that the Ad Hoc Working Group on Trade Efficiency recommended that the Board should, at the resumed session, establish a Preparatory Committee for the United Nations International Symposium on Trade Efficiency (UNISTE). The Board might also consider convening an executive session immediately after the UNISTE in order to decide on the intergovernmental follow-up to work in this field.

Commission on Transnational Corporations and Commission on Science and Technology for Development

24. Member States believe that the Commissions on Transnational Corporations and on Science and Technology for Development should be integrated into the intergovernmental machinery of UNCTAD. They have also taken note that the Commission on Transnational Corporations, at its twentieth session on 11 May 1994, adopted a resolution in which it decided to recommend to the General Assembly through ECOSOC that this Commission should become a Commission of the Trade and Development Board under the title of "Commission on International Investment and Transnational Corporations". Without prejudice to the decision of ECOSOC and the General Assembly on this recommendation, the Board may wish to respond to the request addressed to it in that resolution to orient the programme of work of the Commission accordingly.

Policy review of technical cooperation

25. Having reviewed the report on "Technical cooperation: implementing the Cartagena Commitment" prepared by Dame Margaret Anstee and Mr. Leelananda de Silva (TD/B/40(2)/14), member States have reaffirmed their strong support for technical cooperation as one of the main functions of UNCTAD. While endorsing the overall thrust of the report with its emphasis on the need to strengthen UNCTAD's technical cooperation, the Board may wish to study further the policy proposals contained in the report and take specific action thereon in due course (See annex II).

Financial and programme issues

26. Member States agree that the participation of experts and officials involved in policy formulation is particularly useful and should be extended. However, such participation by developing countries, and by LDCs in particular, has been inadequate. In order to facilitate their participation, the Board might consider proposing financing from the programme budget under budget lines for travel of representatives and for ad hoc expert groups.

27. In the light of the outcome of the Mid-term Review, the Board will need to review priorities among sub-programmes in the Medium-term Plan. It is recalled that, in the revision of the Medium-term Plan for 1992-1997 carried out following UNCTAD VIII, the Board identified subprogrammes to be designated as having high priority. The Working Party on the Medium-term Plan and the Programme Budget will be reviewing revisions to the Medium-term Plan at its forthcoming session scheduled for 20-24 June 1994, and the Board would therefore need to decide on any changes in priority among subprogrammes as a result of the Mid-term Review.

Annex I

Possible issues for consideration by the ad hoc working group on environment, trade and development

1. Examination of the impact of environmental policies, standards and regulations on market access and competitiveness, in particular of the developing countries and countries in transition.

2. Review of the effect on developing countries and countries in transition of emerging environmentally motivated policy instruments with possible trade impacts.

3. Examination of eco-labelling and environmental certification programmes and possibilities for international cooperation thereon, taking into account the trade and sustainable development interests of producing countries, particularly developing countries and countries in transition.

4. Assessment of the market opportunities for exporters which may flow from the demand for "environmentally friendly" products.

Consideration should also be given to ways of promoting interaction and cooperation on trade and environment interlinkages between UNCTAD and other intergovernmental and regional organizations working in this field, such as UNEP, GATT/WTO and OECD.

Possible issues for consideration by the ad hoc working group on enterprise as an instrument of development

Examination of major factors, policies and measures which influence or promote entrepreneurial and enterprise development, especially development of SMEs, as an instrument of economic development and of export expansion:

1. Role of the State in privatization and in creating the enabling environment for the promotion of entrepreneurial and enterprise development, especially development of SMEs, with particular reference to:

   (i) human resources development;

   (ii) institution building and institutional support;

2. Export development and the role of SMEs;

3. Role of domestic capital markets, privatization and entrepreneurship in the mobilization of domestic and foreign financial resources, including foreign portfolio equity investment;

4. External support measures for financial sector and enterprise development, particularly development of SMEs.

Possible issues for consideration by the ad hoc working group on trading opportunities in the new international trading context

1. Identification of new trading opportunities arising from the implementation of the Uruguay Round agreements, in particular sectors and markets, with a view to assisting developing countries and countries in transition concerned to take full advantage of such opportunities.

2. Assessment of the implications for developing countries and countries in transition concerned of the new rules deriving from the Uruguay Round agreements and the follow-up work, and assistance to developing countries and countries in transition concerned as appropriate to make use of the special clauses of the Final Act providing differential and more favourable treatment.

3. Identification of the implications for trading opportunities of developing countries and countries in transition concerned of new and emerging issues on the international trade agenda.

It is understood that the working group would carry out its mandate under the guidance of the Trade and Development Board and take into account in particular the Board's in-depth analysis and assessment of the outcome of the Uruguay Round.

Annex II

Elements for a decision by the Trade and Development Board at the mid-term review on the policy review of technical cooperation

1. The Trade and Development Board reviewed the report on "Technical cooperation: implementing the Cartagena Commitment" prepared by independent consultants Dame Margaret Anstee and Mr. Leelananda de Silva at the request of the Secretary-General of UNCTAD (TD/B/40(2)/14).

2. The Board may wish to express its deep appreciation to the consultants for their contribution to its mid-term review of work programmes. The Board could regard the extremely rich, useful, and helpful report, which will serve as a point of reference for UNCTAD's future technical cooperation programme, as a fully satisfactory basis for the policy review.

3. The Board could then reaffirm its strong support for technical cooperation as one of the main functions of UNCTAD and, accordingly, could also endorse the broad thrust of the report of the consultants with its emphasis and recommendations on the need to strengthen technical cooperation.

4. Member States noted that the completion of the Uruguay Round, which creates new trading opportunities, and the continuing nature of multilateral trade negotiations call for an increase in the technical cooperation activities of UNCTAD so as to help interested countries strengthen their capacities to address current and new issues in international trade.

5. In addition, as the report pointed out, developing countries and countries in transition continue to seek UNCTAD's technical cooperation for sustainable development, as well as in such areas as commodities, trade efficiency, investment, technology and transnational corporations, debt management, entrepreneurship and services, including transport and logistics.

6. It was recognised that the implementation of the recommendations of the report would require the mobilization of additional resources. In this regard, the Board might welcome with appreciation the significant increase in contributions to UNCTAD trust funds for technical cooperation by donors and in some cases by developing countries themselves. Although further discussion was needed on the establishment of a general trust fund, the Board could appeal to donors to make additional resources available to UNCTAD for technical cooperation on an increasingly predictable basis.

7. The Board could note with regret the decline in the contributions of UNDP to UNCTAD's technical cooperation. It is recalled that the UNCTAD secretariat intends to enter into a policy dialogue with UNDP with a view to integrating the trade and related international dimensions into UNDP programmes to promote sustainable human development and to help alleviate poverty. According to the report, the UNDP Administrator is interested in such a dialogue. The Board may wish to appeal to UNDP to maintain and, wherever possible, increase its contributions for activities in the area of trade and development.

8. Although the report is addressed to the Board, several of the issues in the report (for example, much of Part VI, D) and the recommendations summarized in paras. 137-140 fall within the purview of the secretariat. The Board may wish to request the Secretary-General to report on the implementation thereof. However, in light of the interest expressed by member States in the establishment an autonomous non-profit-making consultancy firm closely associated with UNCTAD, the Board could request the secretariat to undertake a feasibility study thereon. In that context, it would agree to take note of the statement by the representative of Switzerland regarding possible support for such a study.

9. It was agreed to give further consideration to the preparation of a comprehensive policy statement on technical cooperation, as recommended by the report. Member States also felt that arrangements regarding the circulation of information on technical cooperation to the intergovernmental bodies should in one way or another be improved. Accordingly, the Board may wish to request the secretariat to develop elements of a comprehensive technical cooperation policy as well as specific arrangements for improving the flow of information on technical cooperation to the intergovernmental bodies and to inform the Working Party on the Medium-term Plan and Programme Budget at its session in September 1994 in this regard. Several member States would like the secretariat to continue its efforts to seek close working relations with other relevant organizations, including those mentioned in para. 131 of the report. Issues relating to cooperation at the operational level between UNCTAD and ITC need further consideration by the Board.

10. Member States also discussed the issue of training and human resource development for trade. At its thirty-ninth session in March 1993, the Board had examined, as a follow-up to the Cartagena Commitment, the need for strong national policies in this area. Member States stressed the need to implement in a comprehensive manner throughout UNCTAD a systematic approach to human resources development in the sector of trade and related services, by building on the experiences of TRAINMAR and TRAINFORTRADE and in close cooperation with other relevant organizations.

11. It was also noted that the report had recommended that the Working Party on the Medium-term Plan and Programme Budget review technical cooperation on an annual basis and that the Board itself consider technical cooperation once a year, on the basis of the comments and recommendations of the Working Party.

12. Member States felt that the Board was not able, for lack of time, to deal with all of the recommendations of the report of the consultants. It was therefore suggested that the Board agree to continue to review these matters and to convene a special executive session later in the year to agree on specific action on the issues raised above.

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Fortieth session, second part (resumed)
Geneva, 25 May 1994

DRAFT REPORT OF THE TRADE AND DEVELOPMENT BOARD ON THE RESUMED SECOND PART OF ITS FORTIETH SESSION

Rapporteur: Mr. Marcel Van der Kolk (Netherlands)

INTRODUCTION - CHAPTER I (ITEM 7) - CHAPTER II (ORGANIZATIONAL MATTERS)

Speakers: President
Officer-in-Charge of UNCTAD
Dame Margaret Anstee
Finland (Chairman of Ad Hoc Working Group on Privatization)
United Nations Development Programme
International Trade Centre UNCTAD/GATT

Note for Delegations

This draft report is a provisional text circulated for clearance by delegations.

Requests for amendments - to be submitted in English or French - should be communicated by Friday, 3 June 1994 at the latest to:

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INTRODUCTION

1. In accordance with the UNCTAD calendar of meetings, the Trade and Development Board held a resumed second part of its fortieth session at the Palais des Nations, Geneva, from 25 to 27 May 1994. In the course of the session, the Board held two plenary meetings - the 842nd and 843rd meetings.

2. The resumed session was convened to deal specifically with item 7 of the agenda of the second part of the fortieth session of the Board, namely "Review and evaluation of work programmes (mid-term)."

3. In his introductory remarks, the **President of the Board** recalled the terms of paragraph 68 of the Cartagena Commitment, whereby the Board was called upon to

> "conduct, midway between Conferences, a review and evaluation of the work programme of the intergovernmental machinery, including its own; of technical assistance programmes; and, bearing in mind the calendar established in this regard, of the programme budget and medium-term plan, so as to ensure full integration of all work undertaken by UNCTAD and to establish or adjust priorities for the period up to the following Conference."

He recalled further that, for the purpose of advancing the work of the Board in response to paragraph 68 of the Cartagena Commitment, the Mid-term Review Informal Working Group, composed of representatives of States members of UNCTAD, had been established by the monthly consultations of the Secretary-General, on 17 January 1994. The Informal Working Group had held its first meeting on 4 February 1994, which had been chaired by the Secretary-General of UNCTAD. The Working Group had held a total of nine meetings. The outcome of the deliberations of the Working Group were summarized in TD/B/40(2)/L.7, which would be introduced by the Officer-in-charge of UNCTAD (see paras. 6-17 below).

4. Finally, he extended a warm welcome to Dame Margaret Anstee, who would be introducing the report by the independent consultants entitled "Technical cooperation: implementing the Cartagena Commitment" (TD/B/40(2)/14) (see paras. 18-29 ... below).

Chapter I

REVIEW AND EVALUATION OF WORK PROGRAMMES (MID-TERM)

(Agenda item 7)

5. For its consideration of this item, the Board had before it the following documents:

"Summary by the Officer-in-charge of UNCTAD of the work of the Mid-term Review Informal Working Group" (TD/B/40(2)/L.7)

"Technical cooperation: implementing the Cartagena Commitment" - report by Dame Margaret J. Anstee assisted by Mr. Leelananda de Silva, Independent Consultants, to the Trade and Development Board (circulated to the Board under cover of a note by the Secretary-General of UNCTAD entitled "Policy review of technical cooperation" (TD/B/40(2)/14).

6. Introducing his summary of the work of the Mid-term Review Informal Working Group (TD/B/40(2)/L.7), the Officer-in-charge of UNCTAD recalled that the fundamental tasks of the Working Group had comprised (i) a review of the work programmes of UNCTAD intergovernmental bodies, including an assessment of the institutional reforms in Part III of the Cartagena Commitment and a review of the structure of the intergovernmental machinery; (ii) a policy review of UNCTAD technical cooperation programmes, on the basis of the report submitted by Dame Margaret Anstee. The aim of the work had been to integrate more effectively the various areas of UNCTAD's work and to prepare the ground for the adjustment of priorities among subprogrammes and activities in the context of the Medium-term Plan and the Programme Budget.

7. Highlighting the main points that were made in TD/B/40(2)/L.7, he said that structures and working methods established by UNCTAD VIII had largely fulfilled expectations. The exchange of national experience and the ad hoc working group mechanism had been particularly valuable. At the same time, the following areas had been identified as offering scope for improvement and change:

(a) A streamlining of the structure of the subsidiary bodies of the Board and of working bodies of the Board and of working methods seemed necessary. In particular, it was felt that there should be fewer

intergovernmental bodies and that these should have more focused mandates and be given more realistic and achievable objectives. There was also a need for fewer meetings as well as for more manageable agendas and less documentation.

(b) Care needed to be taken to avoid duplication, both within UNCTAD and between the work of UNCTAD's intergovernmental bodies and that of other organizations. At the same time, it was recognized that scope existed for productive duplication/complementarity.

(c) Another problem requiring attention concerned the difficulties faced by some interested developing countries, and in particular the LDCs, in participating in the work of UNCTAD's intergovernmental bodies.

(d) More attention needed to be given to the Cartagena Commitment's call for making the outcomes of intergovernmental deliberations more policy and action-oriented, with a view to agreeing on implementable commitments whenever possible.

8. On the Trade and Development Board, the Working Group had discussed the issue of the frequency, duration and content of the meetings of the Board (cf. TD/B/40(2)/L.7, para.8). In this regard, it was generally agreed that the agenda items chosen for consideration by the Board should be more sharply focused (ibid., paras. 9 - 11).

9. With regard to the executive sessions of the Board, its was felt generally that the executive session remained a valuable mechanism even though it had not fully lived up to expectations. It was generally agreed that modalities could be worked out to make optimal use of this mechanism (ibid., paras. 12 - 13).

10. On the Standing Committees, the Working Group felt that these Committees had not been able to carry out enough of their work programmes to allow for an in-depth review of their performance at this stage. In any case, the Cartagena Commitment called for such a review to be carried out immediately before UNCTAD IX. In the meantime, however, it was proposed that the agendas of the Standing Committees should be more focused and made to reflect clear priorities (cf. also ibid., paras. 15 -16).

11. It was to the Ad Hoc Working Groups that the Informal Working Group had undoubtedly devoted the most attention. It was generally agreed that the five existing Ad Hoc Working Groups had addressed, albeit in varying degrees, all elements in their respective terms of reference and that they should be wound up.

12. In connection with the establishment of ad hoc working groups, he recalled that the Trade and Development Board, by its decision 399 (XXXIX) of 9 October 1992, had established an Ad Hoc Working Group to Explore the Issue of Structural Adjustment for the Transition to Disarmament. Efforts to establish the terms of reference for this Group had not been successful. Should this situation continue to prevail at the current Mid-term Review, an alternative would be, in the light of paragraph 99 of the Cartagena Commitment, to place the issue of structural adjustment for the transition to disarmament and the implications for world economic growth and development on the agenda of a session of the Board.

13. In general, member States believed that the number of ad hoc working groups should be as limited as possible to permit expert, in-depth treatment of topics. It was therefore recommended that the Board consider the creation of no more than three other such groups. The discussions in the Working Group had revealed a substantial amount of support for three new ad hoc working groups focusing respectively on topics encompassed by the following three broad themes: environment, trade and development; enterprise as an instrument of development; and trading opportunities in the new international trade context. (See proposals of the Officer-in-Charge of UNCTAD in TD/B/40(2)/L.7, annex I).

14. Support had also been expressed for the holding of a seminar on regional economic arrangements and their relationship with the multilateral trading system.

15. With regard to trade efficiency, he recalled that the Ad Hoc Working Group on Trade Efficiency had recommended that the Board should, at the resumed session, establish a Preparatory Committee for the United Nations International Symposium on Trade Efficiency (UNISTE). The Board might also consider convening an executive session immediately after the UNISTE in order to decide on the intergovernmental follow-up to work in this field.

16. The Informal Working Group had also discussed the issue of the insertion of the Commission on Transnational Corporations and the Commission on Science and Technology for Development in the UNCTAD intergovernmental machinery, the policy

review of technical cooperation, and financial and programme issues. These topics were elaborated upon in paragraphs 24, 25 and 26 of TD/B/40(2)/L.7.

17. In conclusion, he said that the mid-term review was arguably the most important task of the Trade and Development Board in this inter-Conference period. It was, to begin with, an exercise in stock-taking, a look backward to assess how far the intergovernmental machinery had gone in fulfilling the goals and expectations embodied in the Cartagena Commitment, and what lessons - positive and negative - could be learned from the experience so far. But, more importantly, it was an exercise in creative institutional change and adaptation, a forward-looking effort at devising and putting in place the intergovernmental structures and work programmes that would allow UNCTAD to keep pace with the changing world and to advance further down the road envisaged in Cartagena. The task was not simple, and in the next three days the Board would no doubt have to face some complex choices and search hard for acceptable compromises. But the omens were good. Having had the honour of chairing the Informal Working Group, he had come to feel that the work of the Informal Group had itself been a model of the kind of intergovernmental interaction envisaged in Cartagena: a frank but constructive dialogue, a business-like effort at identifying issues and finding solutions, a collective exercise in consensus building based on a perception of fundamental common interests together with a recognition of important, but bridgeable, differences. A good start had thus been made on the mid-term review. Once the Board had decided on the intergovernmental machinery that would be set up until the next Conference, the matter would not of course rest there. The task of putting the new machinery in place and making it work would no doubt involve complex choices and a search for acceptable compromises. But here again, he believed that the omens were equally good.

18. Introducing the independent consultants' report entitled "Technical cooperation: implementing the Cartagena Commitment" (TD/B/40(2)/14), Dame Margaret Anstee expressed her thanks for the cooperation the consultants had received from government representatives and the staff of UNCTAD, UNDP and other international organizations. This had facilitated the completion of the report in the very short time and with the limited resources available.

19. The consultants had not had to begin their work with a tabula rasa, since UNCTAD VIII had set clear policy directives on the central role and main functions of UNCTAD's technical cooperation programme, to the effect that it was to be

strengthened, expanded and integrated into all relevant areas of UNCTAD's work. The aim was to achieve a synergy between the policy and research functions on the one hand and operational and technical activities on the other. The task of the consultants had therefore been, not to propose new policies, but to make suggestions on how the Cartagena policy directives could be put into practice.

20. A full evaluation of the results and impact of UNCTAD's technical cooperation had not been possible in view of the limitations of time and money, which had not permitted field visits. Nevertheless, an exhaustive review of past experience had been undertaken on the basis of views obtained from governments of donor and recipient countries, UNDP Resident Representatives, secretariat staff and other individuals. By and large, UNCTAD's technical cooperation had enjoyed favourable reviews from all sides. The report did contain some critical comments, but these were constructive in nature and intended as a basis for the consultants' proposals for future improvements.

21. The basic promises of the report included adherence to the provisions of the Cartagena Commitment on technical cooperation, the need for a coherent technical cooperation policy, a sensible and pragmatic approach to management questions and institutional aspects (both internal or external) involving no major internal reorganizations (leadership and attitudes were the most important ingredients) and the necessity of keeping costs down and avoiding additionality to the regular budget. In the matter of costs, the consultants were keenly aware of the limitations on resources and had therefore kept requirements as modest as possible. The accent in the report was on better use of existing resources and on finding new, innovative sources of funding.

22. While the main conclusions and recommendations were set forth in section VII, the pragmatic approach adopted meant that recommendations were scattered throughout the report. The latter were identified by bold type. She emphasized that most of the recommendations could be implemented at once: they did not involve a policy change requiring intergovernmental decision.

23. Summarizing the main thrust of the recommendations, she said that a coherent technical cooperation policy should be developed by the UNCTAD secretariat within the policy framework already given by member States. Selectivity was essential for reasons of finance and impact, and in this light the report suggested that the following principles be taken into account:

- comparative advantage;
- complementarity;
- strategic and catalytic interventions;
- differentiation;
- focus on the poor, and on the LDCs.

Substantially, there should be greater emphasis on providing general policy advice. In this connection, there was a proposal for an inter-disciplinary "fire-fighting" capacity, using existing resources. This should not, however, mean abandoning assistance in procedural and operational improvements, in which areas UNCTAD had made a highly significant contribution to developing countries in recent years.

24. With regard to the management and institutional aspects, the proposals for cost-effective, innovative methods and modalities were not exhaustive. Above all, there was a need to foster such qualities as imagination and a cooperative spirit within house, and to adopt an experimental, pilot approach, learning by evaluation and experience. One should not attempt to do everything at once but a start must be made. In training, for example, a nucleus should be developed at once to ensure a more structured approach to training, along the lines of TRAINFORTRADE and TRAINEX; the proposed Trade Development Institute could be a longer-term objective.

25. In the matter of internal organization, the report recommended a modest strengthening of the Technical Cooperation Policy and Coordination Unit to promote a greater cohesion without detracting from the benefits of decentralized management. There was also a proposal for a small internal Technical Cooperation Committee.

26. On the external front, UNDP was very important for policy dialogue and for the mobilization of resources, and she welcomed recent encouraging developments in this area. She was also glad to learn that conversations had already begun with the Executive-Director designate of the International Trade Centre UNCTAD/GATT on improved coordination mechanisms. As for the establishment of the WTO, the implications for UNCTAD were considerable and went beyond the confines of technical cooperation. However, as indicated in the report, the consultants felt that this development would require a greater rather that a lesser role for UNCTAD in the sphere of technical cooperation. In particular, UNCTAD's technical cooperation would have to be adjusted and enhanced to meet the new demands in the following: conceptual definition and analysis; technical consensus building; and assistance to countries in the task of adjusting their domestic and external policies to bring them into conformity with new multilateral trading rules. She reiterated the hope that governments, in further defining the role and functions of WTO would avoid duplication and seek rather to develop the obvious complementarities between the two organizations, notably in technical cooperation. Finally, at the intergovernmental level, it was imperative that there be closer scrutiny of technical cooperation activities and more frequent policy review.

27. On the question of the mobilization and use of resources she said that, given the underlying cost-limitation philosophy of the report, the emphasis was placed on voluntary contributions. These could be modest to begin with, but there was a

real need for more predictability and flexibility. It was in this light that the report suggested the creation of a General Trust Fund, which could start on a pragmatic, experimental basis, encompassing both earmarked and non-earmarked funds. Proposals for non-traditional sources of funding included arrangements for recuperation of costs, self-financing, and reduction of management and administrative costs among them a feasibility study for a self-financing consultancy firm to market UNCTAD services in certain fields. The report also stressed the importance of providing in-kind and intellectual forms of assistance.

28. This said, two facts remained incontrovertible if Governments meant to give force to the terms of the Cartagena Commitment. The first was that there would have to be greater financial synergy between the use of regular budget and extrabudgetary funds if optimum use was to be made of existing resources and if the desired conceptual synergy between policy analysis and technical cooperation was to be achieved. Secondly, in the long run more funds would have to be found, from whatever source, if UNCTAD's technical cooperation was to be expanded.

29. In conclusion, she stated that the consultants had aimed to present practical, down-to-earth proposals on which implementation could begin immediately, on an incremental basis. It was essential that the current momentum should not be lost and action must be started now. Of the recommendations set out in paragraphs 115-140 the secretariat could take action on all but paragraphs 130, 132 (subparagraph c) 136 and 138, which required prior decision by the Board. She therefore looked forward to seeing some, at least, of the recommendations put into effect at once in order to enhance the effectiveness of UNCTAD's technical cooperation and its relevance and benefits to all member States.

30. The President said it was clear from the report of the Officer-in-Charge and the contents of TD/B/40(2)/L.7 that considerable progress had been made and there was a widely emerging consensus on most issues which now needed to be finalized in the form of a decision by the Board, relating to the whole spectrum of the intergovernmental machinery of UNCTAD. He therefore urged delegations to move as quickly as possible away from general discussions and wide-ranging debates, and to focus their attention on agreed language that the Board could adopt in the form of recommendations and decisions in order to respond to paragraph 68 of the Cartagena Commitment. He also drew attention to the assessments that had been submitted by the presiding officers of Standing Committees and Ad Hoc Working Groups in response to his request. These had been circulated in a note for delegations.

31. The President thanked Dame Margaret Anstee for her very helpful and lucid statement. On behalf of all the members of the Board, he expressed appreciation to her, and to her colleague Mr. Leelananda de Silva, for the excellent report they had prepared on UNCTAD's technical cooperation programme. Technical cooperation was the practical side of UNCTAD that developing countries experienced at first hand. The report set out clearly some of the results and benefits of UNCTAD's technical cooperation and made suggestions and recommendations to strengthen that cooperation. It thus formed an important part of the current mid-term review of work programmes. He also expressed appreciation to those countries and organizations, including UNDP, which were supporting the trade and development efforts of developing countries and countries in transition, through the technical services and expertise of UNCTAD. Their support for this work testified to its usefulness and effectiveness.

32. The consultants' report deserved the most careful consideration by the Board. As Dame Margaret had pointed out, some recommendations addressed issues which the secretariat itself could act upon, in the light of the outcome of the current review. Other recommendations were addressed to member States and might call for further reflection, before a decision could be taken on how best to proceed. He encourage delegations to advance their thinking on this matter as much as possible during the current session.

33. The representative of **Finland**, speaking in his capacity as Chairman of the Ad Hoc Working Group on Comparative Experiences with Privatization, stated that the Working Group had completed the tasks set for it in its terms of reference. The discussions, which had been open, constructive and pragmatic, had been of great value in themselves and had been enriched by the participation of expert panellists. Annex I of the Final Report of the Working Group (TD/B/40(2)/21) would serve as an important checklist of pitfalls to be avoided in formulating privatization programmes. He also drew attention to paragraph 17 of the main document which set forth the Working Group's recommendations for further work by UNCTAD or other organizations. Referring to the form which future work in the area of privatization might take, he recognized that there was a need to group topics together in view of the resource constraints. He cautioned, however, against the danger of an overconcentration of diverse elements. It was in this light that he urged the deletion of paragraph 2 of the possible issues for the proposed ad hoc working group on enterprise as an instrument of development (cf. TD/B/40(2)/L.7, annex I, p.10).

34. The representative of the **United Nations Development Programme** (UNDP) congratulated the consultants, Dame Margaret Anstee and Mr. Leelanda De Silva, for their thorough and well balanced review and evaluation of UNCTAD's work in technical cooperation. As UNDP had been a partner in many of UNCTAD's technical cooperation activities, this study was of considerable interest and value to UNDP itself. He noted with satisfaction that most of the programmes with which UNDP had been associated had received strong endorsement by participating governments. But he noted also the consultant's call for a stronger contribution to human resources development, and a disaggregated approach to meeting the varying needs and demands of the developing countries.

35. UNDP was pleased to see that the report had taken a forward-looking approach. It analysed the changing external environment in which all technical cooperation programmes would in future operate - change brought about by trade, investment, technology, communications and economic reform. It was a world in which the old East-West divide had broken down, and where the North-South divide was shifting. Instead, one could see a new division of the world where the fault lines would lie as much within nations as between them. But it should not be forgotten that more than 1 billion people were excluded from the economic mainstream, trapped in poverty. For them the world had not changed at all.

36. Faced with change and the need to bring about change, UNDP had also engaged in a process of reflection and redefinition. The Administrator had launched a policy dialogue with members of the UNDP Executive Board, the agencies of the United nations system and the staff itself on the future directions and goals of UNDP. This was an on-going process, and the next step would be taken in 10 day's time at the annual session of the UNDP Executive Board.

37. Already, however, certain of the main elements of this process were becoming clear. In the first place, there appeared to be an emerging consensus that UNDP must focus its energies and concentrate its resources on a limited number of critical programme areas. In a period of stagnant or declining resources, when development aid was increasingly questioned as to its effectiveness and impact, it was necessary to reassess UNDP's role in technical cooperation and within the United Nations system. While UNDP's universality was not in question, the greater part of its resources would be channelled towards the poorer countries. Furthermore, the main theme for UNDP in the future would probably centre on the concept of sustainable human development. By this was meant support for policies

that put people at the centre of development. The UNDP Administrator had summed up this concept in a graphic phrase in calling for a pattern and practice of development that was "pro-poor, pro-jobs, pro-women and pro-nature".

38. These were cross-cutting themes that went beyond the traditional, sectoral structures which had been the organizing principle of UNDP's technical cooperation in the past. To respond to them, UNDP would have to find new ways of working both with its country partners and with the United Nations system. Encouraged by the provisions of General Assembly resolution 47/199, a new paradigm of United Nations technical cooperation was emerging:

- There was a shift away from large numbers of small projects towards a smaller number of focused programmes;

- United Nations assistance was being re-positioned to deal more with policy work and less with project execution;

- National partners were taking on more project implementation themselves.

Another important innovation in resolution 47/199 was the provision for United Nations country strategy notes. It was the responsibility of governments to set national priorities and to ensure coordination among its development partners. Nevertheless, the General Assembly had encouraged the United Nations system to seek greater coherence and coordination in its operational activities in the context of the country strategy note, if the host government so wished. This was where the policy dimension of UNCTAD's work could be brought into play at the country level. UNDP would encourage the Resident Coordinators in those countries which had opted to prepare country strategy notes to use UNCTAD's substantive knowledge and analytical skills in this process.

39. At the global level, UNDP was renewing its dialogue with is partners in the United Nations system around the themes that he had mentioned. For that purpose, joint working groups had been established with various United Nations agencies and UNDP was exploring with UNCTAD the possibility of creating an UNCTAD/UNDP group. The Administrator attached great importance to these initiatives and he would propose to the Executive Board, in June, a new set of measures designed to strengthen the technical support facility and to provide financial support to

UNDP's substantive partnership with the agencies. His proposal would include the establishment of a new technical support facility for the smaller agencies.

40. He felt that UNCTAD and UNDP could cooperate to help make a success of this new paradigm of technical cooperation. UNCTAD had the analytical skills and policy capacity that complemented UNDP's experience in operations management and country-based programming. These comparative advantages could be brought together in support of sustainable human development. Poverty, trade, environment and economic management were a nexus of issues that were of fundamental interest to the member countries of both UNCTAD and UNDP. Sustainable human development was not an exclusive mandate of UNDP. It was a concept that could give a sense of cohesion and meaning to the overall United Nations development mission. As such, it was larger than the sum of UNDP's resources. UNDP looked forward, therefore, to continuing its dialogue with UNCTAD on future directions for joint ventures in technical cooperation. The report of consultants and this policy review would be an important ingredient in that process.

41. The representative of the **International Trade Centre UNCTAD/GATT** expressed ITC's appreciation to the two consultants for a most interesting and constructive report, which would greatly facilitate discussion at a critical time for considering priorities for technical cooperation in trade policy issues by UNCTAD. ITC had had the benefit of a detailed meeting with both Dame Margaret Anstee and Mr. de Silva, and was pleased to see that its views had been taken into account in their report.

42. The last few years had seen dramatic changes in the world economy, with major increases in merchandise trade, commercial services and foreign direct investment: when taken together with the economic reform programmes in many countries and notably in economies in transition, it was clear that the foreign trade sector had become central to the development process in every country. Similarly, the successful completion of the Uruguay Round had created an international trade environment which offered many opportunities but also challenges to developing countries.

43. ITC's comments on the report referred both to the conclusions by the consultants and, in a general way, to their recommendations. Paragraph 123 referred to collaboration between UNCTAD and ITC in technical cooperation programmes and projects, and he was pleased to confirm that, apart from the

extensive and continuing informal day-to-day dialogue between staff members of the two organizations, there were a number of technical cooperation projects carried out jointly at country and regional level where the mandates, experience and comparative advantages of both organizations were judged to be complementary. Similarly, ITC had made substantial contributions to UNCTAD's Ad Hoc Working Groups and to specific programmes, such as trade efficiency, TRAINFORTRADE and ASYCUDA. ITC would be glad to increase the amount of such joint project development and implementation. However, with the move of UNDP projects towards national execution and the UNDP'programme approach, it was essentially the governments which would decide which agencies would be invited to implement programmes and projects at regional and country level.

44. Referring to the proposals made by the consultants in paragraph 97 that, once a new Executive Director of the ITC was appointed, it would be essential to establish a better mechanism for dialogue on policy and also a clearer division of labour between UNCTAD and ITC, he stated that the newly appointed Executive Director wished to inform the Board that he would give high priority to the review of the recommendations made by the consultants, bearing in mind the respective mandates of ITC and UNCTAD. In this connection, he recalled that, at the last session of the Joint Advisory Group, a proposal had been made for undertaking a major review of ITC's mandate, financial and personnel situation, general structure and its relation with the parent bodies. After a lengthy discussion it had been agreed that the JAG Bureau would initiate informal consultations at an appropriate time on the terms of reference and timing of this review. These consultations would take place immediately after the assumption of functions of the new Executive Director in mid-June 1994. The review itself would provide a good opportunity for discussing some of the recommendations made by the consultants in their report, including the appropriate division of labour between the ITC and its parent organizations.

Chapter II

PROCEDURAL, INSTITUTIONAL, ORGANIZATIONAL, ADMINISTRATIVE AND RELATED MATTERS

A. Opening of the session

1. The resumed second part of the fortieth session of the Trade and Development Board was opened by Mr. Al Sherif Fawaz Al Sharaf (Jordan), President of the Board at its fortieth session. (For the opening remarks made by the President, see introduction).

B. Bureau of the Board

2. There being no change in the elected officers for the fortieth session, the Bureau of the Board at the resumed second part of its fortieth session was as follows:

President:	Mr. Al Sherif Fawaz Al Sharaf (Jordan)
Vice-Presidents:	Mr. Yuri Afanassiev (Russian Federation) Mr. Satish Chandra (India) Mr. Mohamed Ennaceur (Tunisia) Mr. Ioannis Kinnas (Greece) Mr. Shohei Naito (Japan) Mr. Richard A. Pierce (Jamaica) Mr. A. Pinoargote-Cevallos (Ecuador) Mr. Clarke Rodgers Jr. (United States) Mr. Ali Ahmed Sahloul (Sudan) Mr. Zdenek Venera (Czech Republic)
Rapporteur:	Mr. Marcel C.P. Van der Kolk (Netherlands)

C. Agenda and organization of the work of the session

3. The resumed second part of the fortieth session of the Board was convened to deal mainly with item 7 of the agenda of its second part, which read as follows:

7. Review and evaluation of work programmes (mid-term).

4. At its 842nd (opening) plenary meeting, on 25 May 1994, the Board endorsed the schedule of meetings for its resumed session circulated by the secretariat. In accordance with that schedule the Board held two plenary meetings - the opening and closing meetings - and a number of informal meetings.

D. Provisional agendas for the first part of the forty-first session and the pre-sessional executive session of the Board (september 1994)

[To be completed]

E. Review of the calendar of meetings

[To be completed]

F. Other business

Establishment of a Preparatory Committee for the United Nations international Symposium on Trade Efficiency

[To be completed]

G. Adoption of the report of the Board

[To be completed]

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Fortieth Session
Second part (resumed)
Geneva, 25 May 1994
Agenda item 7

REVIEW AND EVALUATION OF WORK PROGRAMMES (MID-TERM)

Draft conclusions and decisions of the Trade and Development Board on the Mid-term Review */

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*/ At its 843rd plenary meeting, on 27 May 1994, the Trade and Development Board adopted these conclusions and decisions without amendment, subject only to minor editorial corrections which have been incorporated in the present text.

Subsequently, this text will be issued in part I of the final report of the Board on the resumed second part of its fortieth session (future TD/B/40(2)/26) as conclusions and decisions 415 (XL).

GE.94-52372

CONCLUSIONS AND DECISIONS

Preparatory process for the Mid-term Review by the Trade and Development Board

1. Paragraph 68 of the Cartagena Commitment requires the Trade and Development Board to "conduct, midway between Conferences, a review and evaluation of the work programme of the intergovernmental machinery, including its own; of technical assistance programmes; and, bearing in mind the calendar established in this regard, of the programme budget and medium-term plan, so as to ensure full integration of all work undertaken by UNCTAD and to establish or adjust priorities for the period up to the following Conference."

2. The Board, at the first part of its fortieth session, decided to make provision for the holding of a resumed session of the Board (25 - 27 May 1994) for the Mid-term Review.

3. A Mid-term Review Informal Working Group, composed of representatives of States members of UNCTAD, was established by the monthly consultations of the Secretary-General on 17 January 1994. The Informal Working Group held its first meeting on 4 February 1994 and was chaired by the Secretary-General of UNCTAD.

4. On the understanding that there would be no attempt to rewrite the provisions of the Cartagena Commitment, the first meeting confirmed that the work of the Informal Working Group would comprise:

(a) A review of the work programmes of UNCTAD intergovernmental bodies, in the context of which account would be taken of the extent to which effect has been given to the recommendations of UNCTAD VIII. This exercise would also include an assessment of the implementation of the institutional reforms contained in Part III of the Cartagena Commitment. It would in addition encompass a review of the structure of UNCTAD's intergovernmental machinery, including possible modifications in the structure of the Ad Hoc Working Groups, and an evaluation of the current focus of the various Standing Committees;

(b) A policy review of UNCTAD technical cooperation programmes, on the basis of the report prepared by Dame Margaret Anstee and Mr. Leelananda de Silva (TD/B/40(2)/14);

(c) The task of integrating more effectively the various areas of UNCTAD's work and looking again at priorities among subprogrammes and activities in the context of the medium-term plan and the programme budget.

5. The first meeting also agreed that the work of the Informal Working Group should proceed in an informal, transparent and open-ended manner. The objective was to prepare and carry forward, as far as possible, the work required for the Mid-term Review, including, if possible, the preparation of a draft document for adoption by the Board at its resumed session on the Mid-term Review in May 1994.

6. The Mid-Term Review Informal Working Group held a total of nine meetings. A report of the proceedings of these meetings is contained in TD/40(2)/L.7 and Add.1.

Assessment of the post-Cartagena experience by the Trade and Development Board

7. Considerable progress has been achieved in the implementation of the Cartagena Commitment. The process of intergovernmental deliberation, in particular the exchange of national experiences, has been useful. The structures and working methods established by UNCTAD VIII have shown considerable potential for achieving the desired results. Experience with the ad hoc working group mechanism has been especially valuable. The meetings of these groups have by and large been characterized by a high technical level of discussions, a substantial volume of work, and several conclusions providing orientations for future work and creating the premises for further movement in the dynamic and progressive sequence envisaged by the Cartagena Commitment.

8. At the same time, the work of the Mid-term Review Informal Working Group, the reports of the Ad Hoc Working Groups and the assessments by the presiding officers of subsidiary bodies have helped the Board to identify the following areas where scope exists for improvement and change:

(a) Given the existing resource constraints of member States and of the UNCTAD secretariat and calendar constraints between now and UNCTAD IX, a streamlining of the structure of the subsidiary bodies of the Board and of working methods is necessary. In particular, there should be fewer intergovernmental bodies and these should have more focused mandates, as well as more realistic and achievable objectives. There is also a need for fewer meetings, and for strict adherence to the existing guidelines on agendas and documentation;

(b) Unnecessary duplication should be avoided, both within UNCTAD and between the work of UNCTAD's intergovernmental bodies and that of other organizations. At the same time, scope exists for complementarity, whereby issues considered in other organizations are

examined from the particular perspectives of UNCTAD;

(c) Some interested developing countries, and in particular the least developed countries (LDCs), face difficulties in participating in the work of UNCTAD's intergovernmental bodies. This applies particularly to the participation of experts from capitals. It was also recognized that the specific concerns of the LDCs should be better reflected in the documents as well as in the agendas of the intergovernmental mechanisms of UNCTAD;

(d) More attention needs to be given to making the outcomes of intergovernmental deliberations more policy- and action-oriented, with a view to agreeing on implementable commitments whenever possible, in accordance with paragraph 57 of the Cartagena Commitment.

Trade and Development Board

Regular sessions

9. The frequency and content of the regular sessions of the Board were confirmed by the Conference at its eighth session. Consequently, proposals for change in this regard would have to be put, as appropriate, to UNCTAD IX. Proposals made on, inter alia, a reduction of the duration of Board meetings and the inclusion of a high-level segment, including the possible holding of a Ministerial Meeting of the Board between Conferences, should be considered further by the Board in preparation for a decision by the Conference. For this purpose, the secretariat is requested to examine the implications of the various proposals, and to report thereon to the Board.

10. Paragraph 67 of the Cartagena Commitment states that "the policy function of the Board should be strengthened. The Board should be more active in adapting the organization's work to changing worldwide economic circumstances, reviewing work programmes and priorities, promoting greater efficiency and reacting to reports from its subsidiary bodies in order to give impetus to ongoing work." In order to contribute to this task, the agenda items chosen for consideration by the Board should be focused so as to allow the Board to provide policy guidance. Topics should be chosen which reflect UNCTAD's institutional comparative advantage, as well as allowing for a degree of complementarity with the work of other organizations. Moreover, the choice of topics should also be guided by the requirements of the Cartagena Commitment and by the need to ensure synergy with the work of the Board's subsidiary bodies. The practice of inviting experts should be continued.

Executive sessions of the Board

11. The executive session of the Board remains a valuable mechanism, even though it has not fully lived up to expectations. It is generally agreed that modalities should be worked out to make optimal use of this mechanism. Further modifications may be necessary, moreover, in the light of any decisions taken by UNCTAD IX on the frequency and scope of regular sessions of the Board.

12. With regard to modalities for improvement, the suggestion was made to hold two types of meetings for the executive session. One would be a pre-sessional meeting called to deal mainly with procedural/administrative/ organizational matters. The other, also to be convened at regular intervals between statutory meetings of the Board, would handle mainly policy matters. The secretariat is requested to propose, in consultation with member States, further refinements of the functioning and role of the executive sessions, taking into consideration the functions of the regular sessions of the Trade and Development Board, and to report to the next regular session of the Board.

Standing Committees

13. The Standing Committees have not been able to carry out enough of their work programmes to allow for an in-depth review of their performance at this stage. In any case, the Cartagena Commitment calls for such a review to be carried out immediately before UNCTAD IX. In the meantime, however, the agendas of the Standing Committees should be more focused and made to reflect clear priorities.

14. For this purpose, forthcoming meetings of the Standing Committees should consider no more than two substantive topics, which could be examined previously by expert groups as appropriate. Greater benefit could be derived from the participation of experts in Standing Committees meetings themselves. The interventions of experts should be better integrated in the meetings in order to allow, in particular, for an in-depth dialogue between the experts and the delegations.

15. The Board takes note of the recommendations proposed by the Chairmen of the Standing Committees in their assessments.

Ad Hoc Working Groups

16. The Board agrees that the five existing Ad Hoc Working Groups have addressed, albeit in varying degrees, all elements in their respective terms of reference and that they should be wound up.

17. It will be recalled that the Trade and Development Board, by its decision 399 (XXXIX) of 9 October 1992, established an Ad Hoc Working Group to Explore the Issue of Structural Adjustment for the Transition to Disarmament. The Board notes that the terms of reference for this Ad Hoc Working Group have not yet been established and that consultations are continuing in that connection.

18. With regard to trade efficiency, further to the recommendation of the Ad Hoc Working Group on Trade Efficiency, the Board decides to establish a Preparatory Committee for the United Nations International Symposium on Trade Efficiency (UNISTE). The Board further agrees to meet in an executive session at the earliest appropriate opportunity after UNISTE and to consider such follow-up work as might be needed.

19. The Board considers that, in order to permit expert, in-depth treatment of topics, the number of new ad hoc working groups should be limited to three.

20. The Board decides to establish three ad hoc working groups focusing respectively on the following three broad topics:

- Ad Hoc Working Group on Trade, Environment and Development

- Ad Hoc Working Group on the Role of Enterprises in Development

- Ad Hoc Working Group on Trading Opportunities in the New International Trading Context.

21. The Cartagena Commitment requires that these working groups should have a very specific mandate. In order to achieve this objective and also to permit the new groups to start their substantive work immediately upon their formation, the Board approved terms of reference/work programmes (see annex) and decided that, at a subsequent executive session, it would approve agendas for the first session of the groups. This decision is on the understanding that broad policy aspects of some of the issues covered by the above working groups, such as sustainable development and trade policy, would be dealt with by the Trade and Development Board.

22. The Board agrees to the holding of a seminar on regional economic arrangements and their relationship with the multilateral trading system. It was understood that the seminar would be organized on the same financial basis as the Ad Hoc Working Groups.

23. The Board decides to address the modalities for dealing with the implications for trading opportunities of developing countries and countries in transition concerned of new and emerging issues on the international trade agenda at an executive session to be convened at the earliest possible opportunity.

Policy review of technical cooperation

24. The Board had before it the report on "Technical cooperation: implementing the Cartagena Commitment" prepared by Dame Margaret Anstee and Mr. Leelananda de Silva (TD/B/40(2)/14) at the request of the Secretary-General of UNCTAD. Member States reaffirm their strong support for technical cooperation as one of the main functions of UNCTAD. The Board expresses its appreciation of the report and welcomes its overall thrust with its emphasis on the need to strengthen UNCTAD's technical cooperation, within the functions outlined for UNCTAD in paragraph 50 of the Cartagena Commitment.

25. The Board decides to convene a special executive session at the earliest possible opportunity to complete its review of the report and, in the light thereof, to decide on the recommendations contained therein. The Board, while recognising that decisions on the organizational structure of UNCTAD fall within the purview of the secretariat, invites the Secretary-General of UNCTAD to examine the implementation, within existing resources, of those recommendations aimed at increasing transparency and overall administrative efficiency. It also requests the Secretary-General to report to the Board in executive session on the findings of this examination and on what subsequent action may be taken.

Commission on Transnational Corporations and Commission on Science and Technology for Development

26. The Board considers that the Commission on Transnational Corporations and the Commission on Science and Technology for Development should be integrated into the intergovernmental machinery of UNCTAD. It takes note that the Commission on Transnational Corporations, at its twentieth session on 11 May 1994, adopted a resolution in which it decided to recommend to the General Assembly through the Economic and Social Council that that Commission should become a Commission of the Trade and Development Board under the title of "Commission on International Investment and Transnational Corporations". Without prejudice to the decision of the Economic and Social Council and the General Assembly on this recommendation, the Board wishes to respond to the request addressed to it in that resolution at the earliest possible moment and requests the Secretary-General of UNCTAD to act accordingly.

Financial and programme issues

27. The Board agrees that the participation of experts and officials involved in policy formulation is particularly useful and should be extended. It recognizes, however, that such participation by developing countries, and by LDCs in particular, has been inadequate. In order to facilitate the participation of a wide range of countries, notably the LDCs, the Board decides to study the possibility of financing it from the programme budget under budget lines for travel of representatives and requests the secretariat to present the financial implications of such a proposal at the next session of the Board.

28. In the light of the outcome of the Mid-term Review, the Board will review priorities among subprogrammes in the medium-term plan. In the revision of the Medium-term Plan for 1992-1997 carried out following UNCTAD VIII, the Board identified subprogrammes to be designated as having high priority. The Working Party on the Medium-term Plan and the Programme Budget would review revisions to the medium-term plan at its forthcoming (twenty-third) session scheduled for 20-24 June 1994, and the Board will subsequently decide on any changes in priority among subprogrammes as a result.

843rd plenary meeting
27 May 1994

Annex

TERMS OF REFERENCE OF THE AD HOC WORKING GROUPS

I. Terms of reference of the Ad Hoc Working Group on Trade, Environment and Development

The Trade and Development Board,

Recalling General Assembly resolution 1995 (XIX), as amended, and " A New Partnership for Development: the Cartagena Commitment", adopted at the eighth session of the United Nations Conference on Trade and Development which recognizes that "UNCTAD should play an important role in the implementation of Agenda 21... taking into account the interrelationship between development, international trade and environment and in accordance with its mandate of sustainable development",

Referring to Agenda 21, and particularly paragraph 2.21 which requests governments to strive to make international trade and environmental policies mutually supportive in favour of sustainable development through relevant multilateral forums, including GATT (WTO) and UNCTAD,

Taking note that the Trade and Development Board, at the first part of its fortieth session, focused UNCTAD's role on policy analysis and debate, conceptual work, the building of consensus among member States on the interaction between environmental and trade policies, the dissemination of information to policy-makers and encouragement and provision of assistance in capacity building,

Decides to establish an Ad Hoc Working Group on Trade, Environment and Development to examine, with a view to promoting sustainable development, the interlinkages between trade, environment and development and related policies, paying particular attention to the problems and special circumstances of the developing countries, including the least developed among them, with the following terms of reference:

1. To examine the effects of environmental policies, standards and regulations on market access and competitiveness, in particular of the developing countries, especially the least developed among them, and countries in transition, taking into account the financial and technological implications;

2. To identify and analyse emerging environmental policy instruments with a trade impact, bearing in mind the need for international cooperation towards ensuring transparency and coherence in making environmental and trade policies mutually supportive;

3. To explore the market opportunities and implications for exporters which may flow from the demand for "environmentally friendly" products, taking into account the benefits and costs associated with reducing the negative environmental effects of production processes and consumption. The work of the Working Group will initially consider ways and means to define and certify environmentally friendly products;

4. To study eco-labelling and eco-certification schemes, and possibilities for international cooperation in this field, taking into account the trade and sustainable development interests of producing countries, particularly developing countries and countries in transition. The work of the Working Group will initially focus on:

(a) a comparative analysis of current and planned schemes, with a view to discussing concepts such as mutual recognition of eco-labels and equivalencies between environmental objectives and criteria;

(b) an examination of the possibilities for taking into account the interests of developing countries in the elaboration of eco-labelling criteria.

5. The Working Group should identify for consideration areas in which technical cooperation should be strengthened.

6. The work of the Working Group should be coordinated with that of other Committees and Working Groups, including the Standing Committee on Commodities.

7. The Working Group may recommend for the consideration of the Board the establishment of expert groups.

8. The work of the Working Group should complement that of other international bodies, while seeking to ensure that no duplication occurs. The Working Group should consider ways to promote interaction between UNCTAD and other intergovernmental and regional organizations working in this field, taking into account the relevant decisions of the second meeting of the Commission on Sustainable Development.

9. The Working Group shall complete its work before the ninth session of the Conference. It may submit interim reports and shall submit its final report on the results of its work to the Trade and Development Board.

10. The Working Group plans its work schedule according to established practice, bearing in mind the work load and the need to finish before the ninth session of the Conference.

II. Terms of reference of the Ad Hoc Working Group on the Role of Enterprises in Development

Pursuant to General Assembly resolution 1995 (XIX), as amended, and to a New Partnership for Development: the Cartagena Commitment adopted at the eighth session of the United Nations Conference on Trade and Development, the Trade and Development Board, having undertaken the mid-term review and evaluation of the work programme of the intergovernmental machinery of UNCTAD, called for by UNCTAD VIII, decides to establish an Ad Hoc Working Group on the Role of Enterprises in Development, with the following terms of reference:

1. The Ad Hoc Working Group should analyse the relationship between the development of an domestic entrepreneurial capacity, in particular for the development of small and medium-sized enterprises (SMEs), and the development process. Particular attention should be paid to the situation of the least developed countries.

2. Topics for analysis should cover:

(a) Role of the State in creating an enabling environment for the promotion of entrepreneurship and the viable development of enterprises, especially SMEs, with reference to the following topics:

(i) Regulatory framework and incentives structures;
(ii) Human resources development;
(iii) Institution building and institutional support;
(iv) The informal sector and its integration into the formal economy;

(b) Interactions between the development of SMEs and of capital markets and banking systems:

(i) Generation of domestic savings;
(ii) Access to capital markets and other sources of financing;

(c) Export development and the role of SMEs giving due consideration to possible advantages arising from the globalization process;

(d) Identification of areas where technical cooperation in support of policy development to enhance the role of SMEs could be strengthened.

3. The work of the Working Group should follow a progressive sequence in accordance with paragraphs 49 to 60 of the Cartagena Commitment. In line with what is set out in the Cartagena Commitment, particularly paragraphs 18 and 47, the Working Group should be inspired by the need to promote international consensus on principles and strategies for policy action at the national and international levels to enhance the development prospects of member States, particularly those of developing countries. It should provide a forum for the exchange of experiences among member States so as to enable them to draw appropriate lessons for the formulation and implementation of policies at the national and international levels and for international economic cooperation.

4. The work of the Working Group should be coordinated with that of other Committees and Working Groups.

5. The work of the Working Group should complement that of other international bodies while seeking to ensure that no duplication occurs.

6. The Working Group may recommend for the consideration of the Board the establishment of expert groups.

7. The Working Group may submit interim reports and shall submit a final report on the results of its work to the Trade and Development Board.

III. Terms of reference of the Ad Hoc Working Group on Trading Opportunities in the New International Trading Context

Pursuant to General Assembly resolution 1995 (XIX), as amended, and to a New Partnership for Development: the Cartagena Commitment adopted at the eighth session of the United Nations Conference on Trade and Development, the Trade and Development Board, having undertaken the mid-term review and evaluation of the work programme of the intergovernmental machinery of UNCTAD, called for by UNCTAD VIII, decides to establish an Ad Hoc Working Group on Trading Opportunities in the New International Trading Context, with the following terms of reference:

1. To identify new trading opportunities arising from the implementation of the Uruguay Round agreements, in particular sectors and markets, with a view to enhancing the ability of developing countries, in particular the least developed countries, and countries in transition concerned to take full advantage of such opportunities;

2. To enhance the understanding of the implications of the new rules deriving from the Uruguay Round agreements and their follow-up, and to identify where and how developing countries and economies in transition concerned could be assisted to:

   (a) make use of the special clauses of the Final Act providing differential and more favourable treatment; and

   (b) implement and benefit from the commitments undertaken;

3. To analyse the modalities to give effect to the decision on special provisions for least developed countries as contained in the Final Act;

4. To identify areas in which technical cooperation should be strengthened.

5. The Working Group shall carry out its mandate under the guidance of the Trade and Development Board and shall take into account in particular the Board's in-depth analysis and assessment of the outcome of the Uruguay Round.

6. The work of the Working Group should complement that of other international bodies while seeking to ensure that no duplication occurs.

7. The Working Group may submit interim reports and shall submit a final report on the results of its work to the Trade and Development Board.